

House File 66 - Introduced

HOUSE FILE 66
BY BRECKENRIDGE

A BILL FOR

1 An Act prohibiting certain persons from assisting voters in
2 casting ballots.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 49.89, Code 2021, is amended to read as
2 follows:

3 **49.89 Selection of officials to assist voters.**

4 At, or before, the opening of the polls, the election board
5 of each precinct shall select two members of the board, of
6 different political parties in the case of any election in
7 which candidates appear on the ballot under the heading of
8 either of the political parties referred to in [section 49.13](#),
9 to assist voters who may be unable to cast their votes without
10 assistance as described in [section 49.90](#). The election board
11 shall not select a person to assist voters who is a candidate
12 on a ballot in that election.

13 Sec. 2. Section 49.90, Code 2021, is amended to read as
14 follows:

15 **49.90 Assisting voter.**

16 Any voter who may declare upon oath that the voter is blind,
17 cannot read the English language, or is, by reason of any
18 physical disability other than intoxication, unable to cast a
19 vote without assistance, shall, upon request, be assisted by
20 the two officers as provided in [section 49.89](#), or alternatively
21 by any other person the voter may select in casting the vote,
22 except that the voter shall not select a person to assist the
23 voter who is a candidate on a ballot in that election. The
24 officers, or the person selected by the voter, shall cast the
25 vote of the voter requiring assistance, and shall thereafter
26 give no information regarding the vote cast. If any elector
27 because of a disability cannot enter the building where the
28 polling place for the elector's precinct of residence is
29 located, the two officers shall take a paper ballot to the
30 vehicle occupied by the elector with a disability and allow
31 the elector to cast the ballot in the vehicle. Ballots cast
32 by voters with disabilities shall be deposited in the regular
33 ballot box, or inserted in the tabulating device, and counted
34 in the usual manner.

35 Sec. 3. Section 52.19, Code 2021, is amended to read as

1 follows:

2 **52.19 Instructions.**

3 In case any elector after entering the voting booth shall ask
4 for further instructions concerning the manner of voting, two
5 precinct election officials of opposite political parties who
6 are not candidates on a ballot in that election shall give such
7 instructions to the elector; but no precinct election official
8 or other election officer or person assisting an elector
9 shall in any manner request, suggest, or seek to persuade or
10 induce any such elector to vote any particular ticket, or for
11 any particular candidate, or for or against any particular
12 amendment, question, or proposition. After receiving such
13 instructions, the elector shall vote as in the case of an
14 unassisted voter.

15

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to persons selected to assist certain
19 voters in casting a ballot. Current law permits voters to
20 request assistance in casting votes at the polling place if
21 such voters are unable to cast their votes without assistance.
22 Persons assisting such voters are either selected by the
23 election board of each precinct or by the voter. The bill
24 prohibits an election board or voter from selecting a person to
25 assist the voter in casting a ballot who is a candidate on the
26 ballot in that election. The bill also prohibits such persons
27 from providing instructions concerning the manner of voting to
28 voters requesting such assistance in a voting booth.